IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 15626 of 2007(I)

PETITIONER:

MOIDEEN KOYA, AGED 51 YEARS,
S/O.PAKRUTTY, MOOZHIKAL HOUSE,
CHERUVATTA, PO PARAMBIL,
KOZHIKODE - 673 012.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.PREMNATH (E)

RESPONDENTS:
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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. KSEB, KERALA STATE ELECTRICITY BOARD,
REP. BY DEPUTY CHIEF ENGINEER, KSEB,
VYDYUTHI BHAVAN, KOZHIKODE.

3. THE SUB ENGINEER, KSEB, ELECTRICAL
SECTION, VELLIMADUKUNNU, KOZHIKODE.
2 & 3 REP.BY STANDING COUNSEL KSEB,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SHRI.JOSE J MATHIAKAL, SC FOR KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 15626 of 2007

Dated, this the 29th day of May, 2007

J U D G M E N T

Heard learned counsel for the petitioner and the learned Standing Counsel. The additional electricity bill is raised against petitioner by tampering power meter. Learned counsel for the petitioner submitted that petitioner made payment under protest to avoid disconnection. Even though payment is made, petitioner is free to raise objection against the bill. In the circumstances, this WP(C) is disposed of directing 3rd respondent to treat the bill and payment made as provisional, hear petitioner's objections and issue an order either sustaining the bill if there is any justification or otherwise grant refund to the extent eligible to the petitioner within a period of one month from the date of production of a copy of this judgment. Petitioner will file written objection and appear before 3rd respondent for hearing.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg